

REPORT

FROM

STANDING COMMITTEE A

ON THE

FERRIES (IRELAND) BILL.

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
19 May, 1908.*



LONDON.

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1908.

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STANDING COMMITTEE A.

[*Thursday, 27th February, 1908*]:—Selection (Standing Committees and Chairmen's Panel).—Sir William Brampton Gordon reported from the Committee of Selection; That they had nominated the following Members to serve on the three Standing Committees for the consideration of all Public Bills, not relating exclusively to Scotland, which may be committed to a Standing Committee.

STANDING COMMITTEE A.

Mr. Arthur Allen.
 Sir William Anson.
 Mr. Ashley.
 Mr. Attorney-General.
 Mr. Godfrey Baring.
 Sir John Bethell.
 Mr. Bolland.
 Mr. Bowerman.
 Mr. Cave.
 Sir Frederic Cawley.
 Mr. Evelyn Cecil.
 Mr. Clive.
 Mr. Cobbold.
 Sir William Collins.
 Mr. Charles Corbett.
 Mr. Charles Craig.
 Mr. David Davies.
 Mr. Ellis Davies.
 Mr. Timothy Davies.
 Mr. Devlin.
 Mr. Arthur Dewar.
 Sir Walter Foster.
 Mr. Gladstone.
 Mr. Gosdoling.
 Mr. Gwynne.
 Mr. William Edwin Harvey.
 Mr. Holt.
 Mr. William Hope.
 Mr. Hudson.
 Sir John Jardine.
 Lord John Joicey-Cecil.
 Mr. William Jones.
 Mr. Joyce.

Mr. Lambton.
 Mr. Bonar Law.
 Mr. MacLaren.
 Mr. Mansfield.
 Mr. Lloyd Morgan.
 Mr. McKillop.
 Mr. Morrell.
 Mr. Nussey.
 Mr. O'Shaughnessy.
 Mr. Parkes.
 Mr. William Pearce.
 Dr. Pollard.
 Mr. Raphael.
 Sir John Randles.
 Mr. Walter Rea.
 Mr. Rendall.
 Mr. Thomas Richards.
 Mr. Thomas Frederick Richards.
 Mr. Riddals.
 Mr. Charles Roberts.
 Earl of Ronaldshay.
 Mr. Rose.
 Mr. Rothchild.
 Mr. Herbert Samuel.
 Mr. Savern.
 Colonel Slesly.
 Dr. Shipman.
 Mr. Smeaton.
 Mr. Smyth.
 Mr. Waldron.
 Mr. Walrod.
 Mr. John Ward.
 Mr. Cathcart Watson.

CHAIRMEN'S PANEL.

Sir William Brampton Gordon further reported from the Committee, That they had selected the following Eight Members to be the Chairmen's Panel, and to serve as Chairmen of the Four Standing Committees to be appointed under Standing Order No. 47:—Sir Francis Channing, Sir Thomas Eamonde, Mr. Laurence Hardy, Sir William Holland, Sir David Brynmor Jones, Mr. Stuart-Wortley, Mr. Eugene Wason, and Mr. John William Wilson.

[*Friday, 28th February, 1908*]:—Standing Committees (Chairmen's Panel).—Mr. Stuart-Wortley reported from the Chairmen's Panel; That they had appointed Mr. Stuart-Wortley to act as Chairman of Standing Committee A; and Mr. Eugene Wason to act as Chairman of the Standing Committee on Scottish Bills.

Mr. Stuart-Wortley further reported from the Chairmen's Panel; That they had agreed to the following Resolution, That any Member of the Chairmen's Panel be and he is hereby empowered to ask any other Member of the Chairmen's Panel to take his place in case of necessity.

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[Wednesday, 1st April, 1908]:—Ferries (Ireland) Bill,—read a second time, and committed to a Standing Committee.

[Thursday, 2nd April, 1908]:—

DISTRIBUTION BY MR. SPEAKER, PURSUANT TO STANDING ORDER 47,
OF BILLS COMMITTED TO A STANDING COMMITTEE.

Name of Bill.	Standing Committee.
Ferries (Ireland) Bill	A

[Thursday, 2nd April, 1908]:—Selection (Standing Committee).—Sir William Bampton Gordon reported from the Committee of Selection; That they had discharged the following Members from Standing Committee A (in respect of the Registration of Clubs (Ireland) Bill and of the Ferries (Ireland) Bill): Mr. Secretary Gladstone, Mr. Attorney-General, and Mr. Herbert Samuel; and had appointed in substitution: Mr. Birrell, Mr. Attorney-General for Ireland, and Mr. T. W. Russell.

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R E P O R T.

STANDING COMMITTEE A, to whom the FERRIES (IRELAND) BILL was referred;—
Have gone through the Bill and made Amendments thereunto.

19th May, 1908.

STANDING COMMITTEE A.

Tuesday, 19th May, 1906.

MEMBERS PRESENT:

SIR FRANCIS CHANNING in the Chair.

Mr. Attorney-General for Ireland.
Mr. Godfrey Baring.
Mr. Barrie.
Mr. Clive.
Mr. Charles Corbett.
Mr. Crean.
Mr. Ellis Davies.
Mr. Gwynn.
Mr. Hasleton.
Mr. Hudson.
Mr. Joyce.
Mr. MacVeagh.

Mr. M'Laren.
Mr. Mooney.
Mr. Lloyd Morgan.
Mr. O'Shaughnessy.
Mr. William Pearce.
Dr. Pollard.
Mr. Raphael.
Mr. Ridsdale.
Mr. Charles Roberts.
Mr. Smeaton.
Mr. Smyth.
Mr. Cathcart Wason.

FERRIES (IRELAND) BILL.

Clause 1.

An Amendment made, in page 1, line 7, by leaving out the word "at," and inserting the word "between"—(*Mr. Attorney-General for Ireland*)—instead thereof.

Another Amendment made, in page 1, line 7, by leaving out the words "point or"—(*Mr. Attorney-General for Ireland*).

Clause, as amended, *agreed to*.

Clause 2.

Amendment proposed, in page 2, line 20, after the word "council," to insert the words "with the approval of the Local Government Board"—(*Mr. Attorney-General for Ireland*).—Question, "That those words be there inserted."—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 3.

Amendments made, in page 2, line 39, by leaving out the word "end," and inserting the word "terminus"—instead thereof;—in page 3, lines 5 and 6, by leaving out the words "Local Government (Ireland)"; in page 3, line 6, after the word "Act," by inserting the word "of"; in page 3, lines 7 and 8, by leaving out the words "for Ireland"; in page 3, line 8, after the word "Lieutenant," by inserting the words "in council"; and in page 3, line 9, after the word "council," by inserting the words "and court of appeal and with the substitution of rules made by the Local Government Board for rules of court"—(*Mr. Attorney-General for Ireland*).

Clause, as amended, *agreed to*.

Clause 4.

Amendment made, in page 3, line 21, after the word "Act," by inserting the words "and the Act of 1898"—(*Mr. Attorney-General for Ireland*).

Clause, as amended, *agreed to*.

Clause 5.

Amendments made in page 4, line 10, by leaving out the words "or persons or body"; in page 4, line 11, after the word "hire," by inserting the words "across any river or water traversed by any ferry established under this Act"; in page 4, line 12, after the word "any," by inserting the word "such"; in page 4, lines 12 and 13, by leaving out the words "established under this Act"; and in line 13, by leaving out the word "to"—(*Mr. Attorney-General for Ireland*).

Another Amendment proposed, in page 4, line 13, after the word "convey," to

insert the words "for hire"—(*Mr. Attorney-General for Ireland*).—Question, "That those words be there inserted,"—put, and *agreed to*.

Other amendments made, in page 4, line 13, after the word "hire," at the end of the last inserted Amendment, by inserting the words "across any such river or water within the limit aforesaid"; and in page 4, line 13, by leaving out the words "is or"—(*Mr. Attorney-General for Ireland*).

Another Amendment proposed, in page 4, line 16, to leave out the words "or persons or body corporate"—(*Mr. Attorney-General for Ireland*).—Question, "That the words proposed to be left out stand part of the Clause."—put, and *negatived*.

Other Amendments made, in page 4, lines 17 and 18, by leaving out the words "within such distance of the ferry as aforesaid for any of the said purposes"; in page 4, lines 19 and 20, by leaving out the words "chargeable with tolls under this Act," and inserting the words "or goods contrary to this section"—instead thereof;—in page 4, line 20, by leaving out the words "or persons or body corporate," and inserting the words "shall be guilty of an offence under this Act"—instead thereof;—in page 4, line 20, at the end of the last inserted Amendment, after the word "Act," by inserting the word "and"; and in page 4, line 21, by leaving out the words "of any such offences"—(*Mr. Attorney-General for Ireland*).

Another Amendment proposed, in page 4, line 22, after the word "pounds," to add the words:

"Provided that nothing in this section shall affect prejudicially any public right of navigation or fishing in the sea, or in any creek, bay, or arm of the sea, or in any navigable river communicating therewith, where and so far up the same as the tide flows and reflows"

—(*Mr. Attorney-General for Ireland*).—Question, "That those words be there added,"—put, and *agreed to*.

Another Amendment proposed, at the end of the last added Amendment, after the word "reflows," to add the words "and provided that the Local Government Board may authorise a county council to establish a ferry within the limits provided by this section"—(*Mr. Mooney*).—Question, "That those words be there added,"—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 6, *agreed to*.

Clause 7.

Amendment proposed, in page 4, lines 28 and 29, to leave out the words "county district in which the ferry is situate," in order to insert the words "whole county"—(*Mr. Attorney-General for Ireland*)—instead thereof.—Question, "That the words proposed to be left out stand part of the Clause,"—put, and *negatived*.

Question, "That those words be there inserted,"—put, and *agreed to*.

Another Amendment proposed, at the end of the last inserted Amendment, after the word "county," to insert the words "or such districts thereof as the County Council may determine"—(*Mr. Mooney*).—Question, "That those words be there added,"—put, and *agreed to*.

Another Amendment proposed, in page 4, line 33, to leave out from the second word "to," to the word "charges," in line 37 (both inclusive)—(*Mr. Attorney-General for Ireland*).—Question put, "That the words proposed to be left out stand part of the Clause."—The Committee divided:

Ayes, 13.

Mr. Barrie.	Mr. Hudson.	Mr. Ridsdale.
Mr. Clive.	Mr. Joyce.	Mr. Smeaton.
Mr. Crean.	Mr. MacVeagh.	Mr. Smyth.
Mr. Gwynn.	Mr. Mooney.	
Mr. Hazleton.	Mr. O'Shaughnessy.	

Noes, 5.

Mr. Attorney-General for Ireland	Mr. Charles Corbett Mr. M'Laren	Mr. Lloyd Morgan Mr. Charles Roberts.
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Clause, as amended, *agreed to*.

Clause 8, *disagreed to*.

Clause 9.

Amendment made by leaving out from the word "The" in line 35, to the word "1898" in line 37 (both inclusive)—(*Mr. Attorney-General for Ireland*).

Clause, as amended, *agreed to*.

New Clause ("Ferries between counties") brought up and read the first time as follows:

"(1) Any two or more county councils may jointly establish, maintain, and work a ferry or ferries under this Act between points within the limits of their respective counties, and the provisions of this Act shall apply, with the necessary modifications, to every such ferry and to such counties and to the councils thereof, and the powers and duties of the several councils under this Act in relation to every such ferry shall be exercised and discharged by a joint committee appointed under this section.

(2) For the purposes of this section, any two or more county councils may appoint a joint committee consisting of members of their respective councils with such representation thereon of each council as may be agreed upon or, in case of dispute, as may be determined by the Local Government Board.

(3) Any expenses incurred under this section shall be defrayed by, and any surplus receipts from ferry tolls shall be appropriated to, the several county councils in such proportions as may be agreed upon by the councils or, in case of dispute, as may be determined by the Local Government Board.

(4) The Local Government Board may make rules regulating the procedure of county councils and joint committees under this section and providing for the manner in which the accounts of the joint committees are to be kept."

—(*Mr. Attorney-General for Ireland*).

Clause read a second time and added to the Bill.

Another New Clause ("Works below high-water mark not to be commenced without consent of Board of Trade") brought up and read the first time as follows:—

"A county council shall not under the powers of this Act construct on the shore of the sea, or of any creek, bay, arm of the sea, or navigable river communicating therewith, where and so far up the same as the tide flows and reflows, any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade, and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid, and where any such work may have been constructed the county council shall not at any time alter or extend the same without obtaining previously to making any such

alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the county council, and the amount of such costs and charges shall be a debt due from the county council to the Crown, and shall be recoverable as a Crown debt or summarily."

—(*Mr. Attorney-General for Ireland*).

Clause read a second time and added to the Bill.

Another New Clause ("Crown rights") brought up and read the first time as follows:

"The establishment of a ferry under this Act shall not require any franchise from the Crown, but, save as aforesaid, nothing in this Act affects prejudicially any estate, right, power, privilege, or exemption of the Crown, and in particular nothing herein contained authorises any county council to take, use, or in any manner interfere with any portion of the shore, or bed of the sea, or of any river, channel, creek, bay, or estuary, or any land, hereditaments, subjects, or rights of whatsoever description belonging to His Majesty in right of His Crown, and under the management of the Commissioners of Woods or of the Board of Trade respectively, or vested in the Commissioners of Public Works in Ireland, without the consent in writing of the Commissioners of Woods, of the Board of Trade, or of the Commissioners of Public Works in Ireland, as the case may be, first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give), and nothing herein contained authorises any ferry tolls to be demanded or received for the conveyance of any person when on duty in the service of the Crown or any Government Department, or of any goods for the service or being the property of the Crown or any Government Department, or of any postal packets within the meaning of The Post Office (Protection) Act 1884."

—(*Mr. Attorney-General for Ireland*).

Clause read a second time and added to the Bill.

Ordered, To Report the Bill, as amended, to the House.



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Name of Bill.	Standing Committee.
Ferries (Ireland) Bill	A

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19th May, 1908.

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Mr. M'Laren.
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Dr. Pollard.
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Mr. Ridsdale.
Mr. Charles Roberts.
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Mr. Cathcart Wason.

FERRIES (IRELAND) BILL.

Clause 1.

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Another Amendment made, in page 1, line 7, by leaving out the words "point or"—(*Mr. Attorney-General for Ireland*).

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"Provided that nothing in this section shall affect prejudicially any public right of navigation or fishing in the sea, or in any creek, bay, or arm of the sea, or in any navigable river communicating therewith, where and so far up the same as the tide flows and reflows"

—(*Mr. Attorney-General for Ireland*).—Question, "That those words be there added,"—put, and *agreed to*.

Another Amendment proposed, at the end of the last added Amendment, after the word "reflows," to add the words "and provided that the Local Government Board may authorise a county council to establish a ferry within the limits provided by this section"—(*Mr. Mooney*).—Question, "That those words be there added,"—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 6, *agreed to*.

Clause 7.

Amendment proposed, in page 4, lines 28 and 29, to leave out the words "county district in which the ferry is situate," in order to insert the words "whole county"—(*Mr. Attorney-General for Ireland*)—instead thereof.—Question, "That the words proposed to be left out stand part of the Clause,"—put, and *negatived*.

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Ayes, 13.

Mr. Barrie.	Mr. Hudson.	Mr. Ridsdale.
Mr. Clive.	Mr. Joyce.	Mr. Smeaton.
Mr. Crean.	Mr. MacVeagh.	Mr. Smyth.
Mr. Gwynn.	Mr. Mooney.	
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Noes, 5.

Mr. Attorney-General for Ireland	Mr. Charles Corbett Mr. M'Laren	Mr. Lloyd Morgan Mr. Charles Roberts.
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Clause, as amended, *agreed to*.

Clause 8, *disagreed to*.

Clause 9.

Amendment made by leaving out from the word "The" in line 35, to the word "1898" in line 37 (both inclusive)—(*Mr. Attorney-General for Ireland*).

Clause, as amended, *agreed to*.

New Clause ("Ferries between counties") brought up and read the first time as follows:

"(1) Any two or more county councils may jointly establish, maintain, and work a ferry or ferries under this Act between points within the limits of their respective counties, and the provisions of this Act shall apply, with the necessary modifications, to every such ferry and to such counties and to the councils thereof, and the powers and duties of the several councils under this Act in relation to every such ferry shall be exercised and discharged by a joint committee appointed under this section.

(2) For the purposes of this section, any two or more county councils may appoint a joint committee consisting of members of their respective councils with such representation thereon of each council as may be agreed upon or, in case of dispute, as may be determined by the Local Government Board.

(3) Any expenses incurred under this section shall be defrayed by, and any surplus receipts from ferry tolls shall be appropriated to, the several county councils in such proportions as may be agreed upon by the councils or, in case of dispute, as may be determined by the Local Government Board.

(4) The Local Government Board may make rules regulating the procedure of county councils and joint committees under this section and providing for the manner in which the accounts of the joint committees are to be kept."

—(*Mr. Attorney-General for Ireland*).

Clause read a second time and added to the Bill.

Another New Clause ("Works below high-water mark not to be commenced without consent of Board of Trade") brought up and read the first time as follows:—

"A county council shall not under the powers of this Act construct on the shore of the sea, or of any creek, bay, arm of the sea, or navigable river communicating therewith, where and so far up the same as the tide flows and reflows, any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade, and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid, and where any such work may have been constructed the county council shall not at any time alter or extend the same without obtaining previously to making any such

alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the county council, and the amount of such costs and charges shall be a debt due from the county council to the Crown, and shall be recoverable as a Crown debt or summarily."

—(*Mr. Attorney-General for Ireland*).

Clause read a second time and added to the Bill.

Another New Clause ("Crown rights") brought up and read the first time as follows:

"The establishment of a ferry under this Act shall not require any franchise from the Crown, but, save as aforesaid, nothing in this Act affects prejudicially any estate, right, power, privilege, or exemption of the Crown, and in particular nothing herein contained authorises any county council to take, use, or in any manner interfere with any portion of the shore, or bed of the sea, or of any river, channel, creek, bay, or estuary, or any land, hereditaments, subjects, or rights of whatsoever description belonging to His Majesty in right of His Crown, and under the management of the Commissioners of Woods or of the Board of Trade respectively, or vested in the Commissioners of Public Works in Ireland, without the consent in writing of the Commissioners of Woods, of the Board of Trade, or of the Commissioners of Public Works in Ireland, as the case may be, first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give), and nothing herein contained authorises any ferry tolls to be demanded or received for the conveyance of any person when on duty in the service of the Crown or any Government Department, or of any goods for the service or being the property of the Crown or any Government Department, or of any postal packets within the meaning of The Post Office (Protection) Act 1884."

—(*Mr. Attorney-General for Ireland*).

Clause read a second time and added to the Bill.

Ordered, To Report the Bill, as amended, to the House.

